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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,982	02/01/2002	Ken Kutaragi	SCEIYA 3.0-117	9131
530 7590 06/04/2007 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			EXAMINER CLOUD, JOIYA M	
			ART UNIT 2144	PAPER NUMBER
			MAIL DATE 06/04/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/061,982

Applicant(s)

KUTARAGI ET AL.

Examiner

Joiya M. Cloud

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/13/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-17 and 19-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 May 2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 03/13/2007.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Claim Rejections - 35 USC § 102

DETAILED ACTION

1. This action is responsive to documentation filed on March 13, 2007. Claims 1-24 represent Computer System and Usage Method Thereof.

Objection

2. Claims 1-3, 5-17, and 19-24 objected to because of the following informalities:
Exemplary claim 1 recites the limitation “partway-through game” in line 19. Applicant’s specification does not make clear the definition of the limitation “partway-through game”.
Appropriate correction is required.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed

4. ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-3, 5-17, and 19-24, are rejected under 35 U.S.C. 102(b) as being anticipated by **Kupka (WO 99/55055)**

As per claim 1, Kupka teaches a computer system comprising a plurality of user computers (**Figure 1, a plurality of client PC/workstations**) each capable of being loaded with a recording medium having a unique recording medium ID (**Abstract, Figure 4, page 4, lines 11-28**); a verification server (**Figure 1, server**) connected with the user computers via a network, the verification server including a user database provided with the unique recording medium IDs (**Page 5, lines 25-29, where the unique identifiers are compared to the authentication code generating a verification code**); and at least one content server connected to the verification server via a network and having a content database associated therewith (**page 25, lines 1-15**); wherein the verification server comprises: means for requiring the recording medium ID from the user computers when the user computers request data associated with a desired content server and for verifying the request based on information recorded in the user database (**page 5, lines 25-29, page 6, lines 3-13 and page 7, lines 16-26, where the general purpose computer/server reads the unique identifier from the media**); means for establishing communications between the user computers and the desired content server when the request is verified (**page 5, lines 12-29**); means for requesting user status information from the user computers representing data of partway-through games and data stored in at least one of the recording medium and the user computer from the user computers and for transmitting the user status information to the desired content server (**page 10, lines 29-30 and page 5**); and means for receiving information corresponding to the user status information from the content database of the desired content server and for transmitting content information from the desired content

server to the user computers to thereby provide the content requested by the user computers and upgrading or debugging programs based on the user status information of individual user computers (**Abstract and page 6, lines 14-22**).

As per claim 2, Kupka teaches a computer wherein the user status information comprises at least one of a serial number and a version number of a program (**page 17, lines 24-29 and page 5, lines 3-11**).

As per claims 3 and 7, Kupka teaches a computer system wherein the user status information comprises data indicative of the completion status of a game played on the user computer (**page 20, lines 18-23**) and wherein a computer system wherein the user computers further comprise means for supplying to the verification server the user status information (**page 25, lines 1-15**).

As per claims 5 and 6, Kupka teaches a computer system wherein the content information transmitted to the user computer comprises data for upgrading at least one of the programs and data and wherein the content information transmitted to the user computer comprises data for debugging at least one of the programs and data (**Abstract, page 6, lines 14-22**).

As per claim 8, Kupka teaches a computer system wherein the user computers each have unique device IDs; the user database contains information relating to the device IDs; and the

verification server further comprises: means for obtaining the device IDs from the user computers when the user computers request the data from the desired content server; and means for identifying the user computers based on the device IDs and the user information in the user database.

As per claim 9, Kupka teaches a computer system according wherein each user of each of the user computers has a unique user ID; the user database contains information relating to the user IDs; and the verification server further comprises: means for obtaining the user IDs from the user computers when the user computers request the data from the desired content server; and means for identifying the user based on the user ID and the user information in the user database.

As per claim 10, Kupka teaches a computer system wherein the verification server is connected, via a network, to at least one content server having digital content (**Figure 1**).

As per claim 11, Kupka teaches a computer system wherein the verification server further comprises means for performing verification of the recording medium based on the recording medium ID; and means for determining whether or not to permit providing of the digital content from the content server to the user computer, based on the results of the verification (**page 25, lines 1-15**).

As per claim 12, claim 12 is substantially the same as claim 1 and is thus rejected using similar rational

As per claim 13, Kupka teaches a computer system wherein said requested data is data for updating at least one of programs and data stored in said recording medium (**page 6, lines 3-13**).

As per claim 14, Kupka teaches a computer system further comprising at least one content server having digital content, wherein the means for preparing the requested data comprises means for sending the user status information to the content server, and wherein the content server comprises means for selecting the digital content according to the user status information and transmitting the selected digital content to the verification server (**Abstract and page 25, lines 1-15**).

As per claim 15, claim 15 is rejected using the same rationale as claim 1.

As per claims 16 and 17, claims 16 and 17 are substantially the same as claim 15 and are thus rejected using the same rationale. Furthermore, regarding user status information corresponding to user ID's and unique recording medium ID (**page 24, line 3 and page 25, lines 5-10, unique identifier of the media and unique serial number**).

As per claims 19-24, claims 19-23 are rejected using similar rationale as claims 1-7 and 9-14

Conclusion

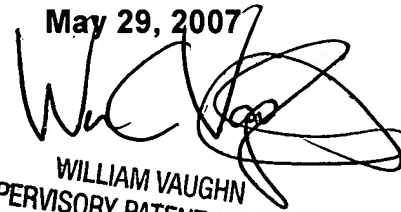
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner can normally be reached Monday to Friday from on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3922. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMC

William J. Vaughn

Supervisory Patent Examiner

May 29, 2007

WILLIAM VAUGHN
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